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UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

THE BOARD OF TRUSTEES, in their capacities as) No. 1:08-CV-5652-CRB
 Trustees of the LABORERS HEALTH AND)
 WELFARE TRUST FUND FOR NORTHERN)
 CALIFORNIA; LABORERS VACATION-HOLIDAY)
 TRUST FUND FOR NORTHERN CALIFORNIA;)
 LABORERS PENSION TRUST FUND FOR)
 NORTHERN CALIFORNIA; and LABORERS)
 TRAINING AND RETRAINING TRUST FUND FOR)
 NORTHERN CALIFORNIA; and THE BOARD OF)
 TRUSTEES, in their capacities as Trustees of the)
 CEMENT MASONS HEALTH AND WELFARE)
 TRUST FUND FOR NORTHERN CALIFORNIA;)
 CEMENT MASONS PENSION TRUST FUND FOR)
 NORTHERN CALIFORNIA; CEMENT MASONS)
 VACATION/HOLIDAY TRUST FUND FOR)
 NORTHERN CALIFORNIA; CEMENT MASONS)
 APPRENTICESHIP AND TRAINING TRUST FUND)
 FOR NORTHERN CALIFORNIA,)

Plaintiffs,

v.

VARGAS & ESQUIVEL CONSTRUCTION, INC., a
 California Corporation,

Defendant.

**REQUEST FOR DISMISSAL
 WITH RETAINED
 JURISDICTION;
~~PROPOSED~~ ORDER**

PURSUANT TO THE PROVISIONS of the written settlement agreement between the parties, which resolve all outstanding claims for damages, attorneys fees, litigation expenses and costs, and which directs the plaintiffs to request dismissal of the action with prejudice, but to request that the District Court retain jurisdiction to interpret and enforce the settlement agreement,

PLAINTIFF HEREBY REQUESTS that the action be dismissed with prejudice but with the Court retaining special jurisdiction for no more than fifteen (15) months to interpret and enforce the agreement.

Dated: July 28, 2009

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

By: //s// Signature Authorized
NICOLE M. PHILLIPS
Attorneys for Plaintiffs

Dated: July 28, 2009

LAW OFFICES OF GENE A. FARBER

By: //s// Signature Authorized
GENE A. FARBER
Attorneys for Defendant

~~PROPOSED~~ ORDER

SO ORDERED.



Dated: July 31, 2009

HON. CHARLES BREYER
Judge of U. S. District Court

120217/538890